

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In re PATENT APPLICATION OF

KORNBLUTH et al

Atty. Ref.: 1579-470

Serial No.: 09/924,102

Group Art Unit:

Filed: August 8, 2001

Examiner:

For: REAPER PROTEIN

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February 21, 2002

SUBMISSION

Hon. Commissioner of Patents
and Trademarks
Washington, DC 20231

Sir:

Submitted herewith is an executed Exclusive Substitute
Power of Attorney relating to the above.

Kindly direct all future correspondence regarding this
matter to:

Mary J. Wilson
NIXON & VANDERHYE P.C.
1100 North Glebe Road
8th Floor
Arlington, Virginia 22201-4714.

Respectfully submitted,

NIXON & VANDERHYE, P.C.

By Mary J. Wilson
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Assistant Commissioner for Patents
Washington, DC 20231

Sir:

**EXCLUSIVE SUBSTITUTE POWER OF ATTORNEY
AND EXCLUSIVE PROSECUTION HEREAFTER BY
ASSIGNEE UNDER 37 C.F.R. §§ 1.36, 3.71 AND 3.73**

DUKE UNIVERSITY, being the owner of all right, title and interest in the above-identified patent application, hereby revokes all previous powers of attorney in this case, if any, and hereby appoints Nixon & Vanderhye, P.C., 1100 North Glebe Rd., 8th Floor, Arlington, Virginia 22201-4714, telephone number (703) 816-4000, facsimile number (703) 816-4100, and the following attorneys thereof (of the same address) individually and collectively its attorneys to prosecute this application and to transact all business in the Patent and Trademark Office in connection therewith, and with the resulting patent: Larry S. Nixon, 25640; Arthur R. Crawford, 25327; James T. Hosmer, 30184; Robert W. Faris, 31352; Richard G. Besha, 22770; Mark E. Nusbaum, 32348; Michael J. Keenan, 32106; Bryan H. Davidson, 30251; Stanley C. Spooner, 27393;

Leonard C. Mitchard, 29009; Duane M. Byers, 33363; Jeffry H. Nelson, 30481; John R. Lastova, 33149; H. Warren Burnam, Jr. 29366; Mary J. Wilson, 32955; J. Scott Davidson, 33489; Alan M. Kagen, 36178; Robert A. Molan, 29834; B. J. Sadoff, 36663; James D. Berquist, 34776; Updeep S. Gill, 37334; Michael J. Shea, 34725; Donald L. Jackson, 41090; Michelle N. Lester, 32331; Frank P. Presta, 19828; Joseph S. Presta, 35329; Joseph A. Rhoa, 37515; Raymond Y. Mah, 41426; Chris Comuntzis, 31097; Gary T. Tanigawa, 43180.

DUKE UNIVERSITY also authorizes Nixon & Vanderhye to delete any attorney names/numbers no longer with the firm and to act and rely solely on instructions communicated from the person, attorney, firm or other organization sending instructions to Nixon & Vanderhye on behalf of the owner.

Certificate Under 37 C.F.R. §3.73(b)

DUKE UNIVERSITY, a corporation having a place of business at, Durham, North Carolina, states that it is the assignee of the entire right, title and interest in the patent application identified above by virtue of an assignment from the inventors to the aforesaid assignee, a copy of the assignment being attached.

The undersigned (whose title is typed below) is empowered to sign this statement
on behalf of DUKE UNIVERSITY.

DUKE UNIVERSITY

February 5, 2002

Date

By: 

Name: Robert L. Taber

Title: Vice Chancellor of Science &
Technology Development

Nixon & Vanderhye P.C.
1100 North Glebe Road
Eighth Floor
Arlington, VA 22201-4714

Attorney Dkt: 1579-470

A S S I G N M E N T
of U.S. Origin Patent Application

- 1) Sally A. Kornbluth
- 2) Christopher Holley

(hereinafter collectively ASSIGNOR), have made an invention known as Dkt. **1579-470** and entitled: **REAPER PROTEIN** for which an application for Letters Patent of the United States ☐ was executed even date herewith and is about to be filed in the United States Patent and Trademark Office; ☒ was filed on **August 8, 2001**, Appln. No. **09/924,102**, which claims priority from provisional Appln. No. **60/223,699**, filed **August 8, 2000**;

AND WHEREAS **DUKE UNIVERSITY, Durham, North Carolina 27708-0083**

(hereinafter ASSIGNEE), desires to acquire an interest therein;

NOW, THEREFORE, in consideration of Ten Dollars (\$10.00) and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the said ASSIGNOR, does hereby sell, assign and transfer unto ASSIGNEE, its entire right, title and interest to the said invention in the aforesaid application, and to the said application and to all continuations, divisions, reissues and substitutes of said application, and foreign counterparts thereof, together with the right of priority under the International Convention for the Protection of Industrial Property, Inter-American Convention Relating to Patents, Designs and Industrial Models, and any

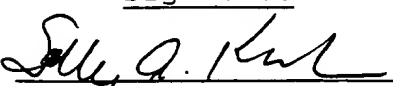
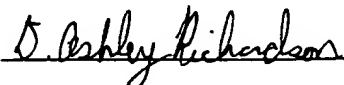
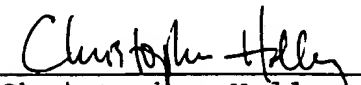

other international agreements to which the United States of America adheres, and ASSIGNOR hereby authorizes and requests the Commissioner of Patents to issue said Letters Patent to ASSIGNEE, for its interest as ASSIGNEE, its successors, assigns and legal representatives. It is understood and agreed that ASSIGNEE'S attorneys Nixon & Vanderhye P.C. have represented only ASSIGNEE and will continue to represent only ASSIGNEE with respect to this invention.

AND ASSIGNOR hereby agrees to execute any papers requested by ASSIGNEE, its successors, assigns and legal representatives, deemed essential to ASSIGNEE's full protection and title in and to the invention hereby transferred.

ASSIGNOR furthermore agrees upon request of said ASSIGNEE, and without further remuneration, to execute any and all papers desired by said ASSIGNEE for the filing and granting of foreign applications and the perfecting of title thereto in said ASSIGNEE.

The undersigned hereby authorize(s) Nixon & Vanderhye P.C. of the above address to insert hereon any further identification necessary or desirable for recordation of this document.

Executed on the date(s) below indicated.

	<u>Signature</u>	<u>Date Signed</u>	<u>Witness</u>
1)	<u></u> Sally A. Kornbluth	<u>10/8/01</u>	<u></u>
2)	<u></u> Christopher Holley	<u>October 3, 2001</u>	<u></u>